

**COLE SCHOTZ P.C.**

Michael D. Sirota, Esq.  
Warren A. Usatine, Esq.  
Felice R. Yudkin, Esq.  
Court Plaza North, 25 Main Street  
Hackensack, New Jersey 07601  
(201) 489-3000  
msirota@coleschotz.com  
wusatine@coleschotz.com  
fyudkin@coleschotz.com

**KIRKLAND & ELLIS LLP**

**KIRKLAND & ELLIS INTERNATIONAL LLP**

Joshua A. Sussberg, P.C. (admitted *pro hac vice*)  
Emily E. Geier, P.C. (admitted *pro hac vice*)  
Derek I. Hunter (admitted *pro hac vice*)  
601 Lexington Avenue  
New York, New York 10022  
Telephone: (212) 446-4800  
Facsimile: (212) 446-4900  
joshua.sussberg@kirkland.com  
emily.geier@kirkland.com  
derek.hunter@kirkland.com

*Co-Counsel for Debtors and  
Debtors in Possession*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In re:

BED BATH & BEYOND INC., *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 23-13359 (VFP)

(Jointly Administered)

**NOTICE OF CANCELLATION OF HEARING SCHEDULED FOR JULY 24, 2023 AT  
10:00 A.M. (ET) AND RESCHEDULED HEARING ON  
JULY 31, 2023 at 10:00 A.M. (ET)**

<sup>1</sup> The last four digits of Debtor Bed Bath & Beyond Inc.'s tax identification number are 0488. A complete list of the Debtors in these chapter 11 cases and each such Debtor's tax identification number may be obtained on the website of the Debtors' claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.'s principal place of business and the Debtors' service address in these chapter 11 cases is 650 Liberty Avenue, Union, New Jersey 07083.

**PLEASE TAKE NOTICE** that on May 22, 2023 the United States Bankruptcy Court for the District of New Jersey (the “Court”) entered the *Order (I) Establishing Procedures to Sell Certain Leases, (II) Approving the Sale of Certain Leases, and (III) Granting Related Relief* [Docket No. 422] (the “Lease Sale Procedures Order”),<sup>2</sup> by which the Court, among other things, approved expedited procedures for the assumption and assignment of unexpired leases and granted related relief.

**PLEASE TAKE FURTHER NOTICE** that on June 27, 2023, the Debtors filed the *Notice of Successful and Backup Bidder with Respect to the Phase 1 Auction of Certain of the Debtors’ Lease Assets and Assumption and Assignment of Certain Unexpired Leases* [Docket No. 1114] (the “Notice of Successful Bidder”) which set the Lease Sale Objection deadline as July 11, 2023 at 5:00 p.m. (prevailing Eastern Time) with respect to any lease in the Phase 1 Lease Sale Process.

**PLEASE TAKE FURTHER NOTICE** on June 30, 2023, the Debtors filed the *Notice of Assumption of Certain Unexpired Leases* [Docket No. 1157] which set the Assumption Objection (together with the Lease Sale Objection, the “Lease Objection”) deadline as July 11, 2023 at 5:00 p.m. (prevailing Eastern Time) with respect to any lease in the Phase 1 Lease Sale Process.

**PLEASE TAKE FURTHER NOTICE** that the hearing scheduled for **July 24, 2023, at 10:00 a.m. (prevailing Eastern Time)** is cancelled.

**PLEASE TAKE FURTHER NOTICE** that the Phase 1 Lease Sales identified on **Exhibit A**, annexed hereto, are resolved and may be approved without a hearing.

**PLEASE TAKE FURTHER NOTICE** that the Lease Objections identified on **Exhibit B**, annexed hereto, will go forward at the rescheduled hearing on **July 28, 2023, at 10:00 a.m. (prevailing Eastern Time)** (the “Hearing”).

**PLEASE TAKE FURTHER NOTICE** that if you resolved your Lease Objection with the Debtors’ counsel, you do not need to attend the Hearing.

*[Remainder of page intentionally left blank]*

---

<sup>2</sup> All capitalized terms used but not otherwise defined herein shall have the meaning ascribed to them in the Lease Sale Procedures Order or the *Debtors’ Motion for Entry of an Order (I) Establishing Sales Procedures, (II) Approving the Sale of Certain Real Property and Leases, and (III) Granting Related Relief* [Docket No. 193], as applicable.

Dated: July 21, 2023

*/s/ Michael D. Sirota*

---

**COLE SCHOTZ P.C.**

Michael D. Sirota, Esq.  
Warren A. Usatine, Esq.  
Felice R. Yudkin, Esq.  
Court Plaza North, 25 Main Street  
Hackensack, New Jersey 07601  
Telephone: (201) 489-3000  
Email: msirota@coleschotz.com  
wusatine@coleschotz.com  
fyudkin@coleschotz.com

**KIRKLAND & ELLIS LLP**

**KIRKLAND & ELLIS INTERNATIONAL LLP**

Joshua A. Sussberg, P.C. (admitted *pro hac vice*)  
Emily E. Geier, P.C. (admitted *pro hac vice*)  
Derek I. Hunter (admitted *pro hac vice*)  
601 Lexington Avenue  
New York, New York 10022  
Telephone: (212) 446-4800  
Facsimile: (212) 446-4900  
Email: joshua.sussberg@kirkland.com  
emily.geier@kirkland.com  
derek.hunter@kirkland.com

*Co-Counsel for Debtors and  
Debtors in Possession*

**Exhibit A**

**Resolved Leases**

| Store No. | Address                            | City/State          | DN      | Stated Cure | Asserted Cure | Resolution                        |
|-----------|------------------------------------|---------------------|---------|-------------|---------------|-----------------------------------|
| 384       | 1557 Vine Street                   | Hollywood, CA       | DN 1001 | \$181.00    | \$2,039.77    | \$2,039.77                        |
| 3025      | 8241 West Flagler Street Suite 100 | Miami FL            | DN 1033 | \$39,041.00 | \$40,643.50   | \$40,643.50                       |
| 490       | 3308 S. Glenstone Ave              | Springfield, MO     | DN 1145 | \$0.00      | \$13,512.78   | \$13,512.78                       |
| 557       | 2315 Colorado Boulevard, Suite 180 | Denton, TX          | DN 1178 | \$12,542.00 | \$32,829.97   | \$36,211.28                       |
| 769       | 4633 S Jack Kultgen Expressway     | Waco, TX            | DN 1239 | \$30,787.00 | \$39,345.89   | \$39,345.89                       |
| 1309      | 160 Marketplace Boulevard          | Hamilton, NJ        | DN 1329 | \$68,214.00 | \$133,010.11  | Subject to further reconciliation |
| 825       | 2975 Craig Street                  | McKinney, TX        | DN1038  | \$0.00      | \$83,974.84   | \$82,332.77                       |
| 1409      | 1320 McFarland Blvd E              | Tuscaloosa, AL      | DN921   | \$3,258.29  | \$3,258.33    | \$3,258.00                        |
| 525       | 5450 N. 9th Avenue                 | Pensacola, FL       | DN955   | \$30,897.00 | \$51,954.71   | \$72,857.99                       |
| 1314      | 1440 Old Country Road              | Riverhead, NY       | DN990   | \$54,611.00 | \$89,539.56   | \$99,287.12                       |
| 192       | 11609 Midlothian Turnpike          | Midlothian, VA      | n/a     | \$0.00      | n/a           | \$0.00                            |
| 318       | 3001-A101 West Loop 250 North      | Midland, TX         | n/a     | \$26,939.00 | \$26,938.57   | \$26,938.57                       |
| 503       | 2315 Summa Drive #180              | Las Vegas, NV       | n/a     | \$0.00      | n/a           | n/a                               |
| 542       | 261 Daniel Webster Highway         | Nashus, NH          | n/a     | \$0.00      | n/a           | \$0.00                            |
| 585       | 1430 Texas Avenue South            | College Station, TX | n/a     | \$0.00      | n/a           | \$0.00                            |
| 589       | 3951 Promenade Parkway             | D'Iberville, MS     | n/a     | \$0.00      | n/a           | n/a                               |
| 841       | 10 Loudon Rd.                      | Concord, NH         | n/a     | \$20,769.83 | n/a           | \$20,769.83                       |
| 1002      | 6001 North West Loop 410           | San Antonio, TX     | n/a     | \$0.00      | n/a           | \$0.00                            |
| 1011      | 200 Aberdeen Commons               | Aberdeen, NC        | n/a     | \$0.00      | n/a           | \$0.00                            |
| 1014      | 1235 Caroline Street NE            | Atlanta, GA         | n/a     | \$0.00      | Informal Obj. | \$7,000.00                        |
| 1175      | 601 E. Dimond Boulevard            | Anchorage, AK       | n/a     | \$40,444.80 | n/a           | \$40,444.80                       |
| 1237      | 5160 Highway 70 Suite 600          | Morehead City, NC   | n/a     | \$15,054.00 | n/a           | \$15,054.00                       |
| 1265      | Margie Drive & State Route 247     | Warner Robins, GA   | n/a     | \$0.00      | n/a           | \$0.00                            |
| 1365      | 422 W. Loop 281 Suite 200          | Longview, TX        | n/a     | \$10,682.96 | n/a           | \$10,682.96                       |
| 3086      | 202 Morrell Road                   | Knoxville, TN       | n/a     | \$16,347.22 | n/a           | \$16,347.22                       |
| 1094      | 2955 Cobb ParkwaySE                | Atlanta, GA         | DN 1310 | \$6,796.00  | \$9,296.00    | \$9,296.00                        |
| 507       | 3640 Long Beach Road               | Oceanside, NY       | DN 1232 | \$1,049.38  | n/a           | \$1,049.38                        |

**Exhibit B**

**Leases Being Addressed on July 28, 2023**

| Store No. | Address                        | City/State          | DN.                  | Stated Cure | Asserted Cure                                  | Status  |
|-----------|--------------------------------|---------------------|----------------------|-------------|--|---|
| 55        | 1875 Palm Beach Lakes Blvd.    | West Palm Beach, FL | DN 1315              | \$738.00    | \$5,000.00                                     | Cure Amount to be finalized. All other objections resolved.   |
| 86        | 10011 East 71st Street         | Tulsa, OK           | DN 1240              | \$16,143.00 | \$33,914.30                                    | Not resolved.   |
| 126       | 12520 Fountain Lake Circle     | Stafford, TX        | DN. 1340 and 1344    | \$0.00      | \$10,000.00                                    | Not resolved.   |
| 149       | 400 Grossman Drive             | Braintree, MA       | DN. 1324             | \$6,451.00  | \$24,500.00                                    | Resolved, subject to reconciliation of cure amount.   |
| 301       | 2719 Edmondson Road            | Cincinnati, OH      | DN 1326              | \$79.00     | \$288,607.10                                   | Not resolved.   |
| 385       | 1400C Glades Road              | Boca Raton, FL      | DN. 1328             | \$0.00      | \$20,000.00                                    | Resolved subject to final reconciliation of cures and finalizing assumption and assignment agreement. |
| 454       | 2701 N. Federal Highway        | Ft. Lauderdale, FL  | DN. 1324             | \$0.00      | \$24,500.00                                    | Resolved, subject to reconciliation of cure amount.   |
| 544       | 412 S. Bryant Ave              | Edmond, OK          | DN1318               | \$0.00      | \$0.00   | Resolved.   |
| 556       | 320 CBL Drive                  | St. Augustine, FL   | DN 1315              | \$0.00      | \$3,500.00                                     | Cure Amount to be finalized. All other objections Resolved  |
| 577       | San Patricio Plaza             | Guaynabo, PR        | DNs. 795,1119 , 1291 | \$55,478.00 | 55,478, plus pro rata share of 32,675.66 taxes | Not resolved.   |
| 591       | 10060 W. McDowell Road         | Avondale AZ         | DN 1330              | \$77,172.28 | \$120,658.28                                   | Not resolved.   |
| 777       | 844 W. Telegraph Steet         | Washington Clty, UT | DN 1293              | \$0.00      | \$17,740.50                                    | Not resolved.   |
| 1024      | 963 East Interstate Highway 30 | Rockwall, TX        | DN 1289              | \$0.00      | \$0.00   | Not resolved.   |

|      |                                 |                       |  |              |              |   |
|------|---------------------------------|-----------------------|--|--------------|--------------|---|
| 1044 | 200 Colony Place                | Plymouth MA           | DN 917,<br>1309,<br>1381               | \$0.00       | \$4,817.44   | Not resolved.   |
| 1096 | 404 Route 3 West                | Clifton, NJ           | DNs.<br>744,<br>1023,<br>1304,<br>1357 | \$41,869.11  | \$66,921.21  | Resolved subject to final reconciliation of cures.  |
| 1107 | 1050 McKinley Place Drive       | San Marcos, TX        | DN 1360                                | \$0.00       | \$102,938.04 | Use objection Pending, all other objections resolved. Hearing to be adjourned until a date set in August. Landlord waives rent to the extent applicable for August. |
| 1110 | Miracle Marketplace             | Miami FL              | DN1298                                 | \$82,955.00  | \$109,278.94 | Not resolved.   |
| 1142 | 2203 Promenade Boulevard        | Rogers, AR            | DN 1323                                | \$28,384.75  | \$46,521.47  | Not resolved.   |
| 1143 | Colonial Landing                | Orlando FL            | DN 1315                                | \$21,966.00  | \$135,430.01 | Cure Amount to be finalized. All other objections Resolved  |
| 1177 | 3100 14th Street NW             | Washington, DC        | DN 1295                                | \$190,420.00 | \$257,165.85 | Not resolved.   |
| 1268 | Building # 4                    | Sarasota, FL          | DN 1331                                | \$47,957.00  | \$147,338.06 | Not resolved.   |
| 1333 | 1365 Eglin Street               | Rapid City, SD        | DN 1305                                | \$0.00       | \$68,348.89  | Resolved.   |
| 1367 | 15600 Panama City Beach Parkway | Panama City Beach, FL | DN 1281                                | \$5,280.85   | \$5,402.15   | Resolved.   |
| 1405 | 208 Grand Hill Place            | Holly Springs, NC     | DN 1330                                | \$0.00       | \$48,523.11  | Resolved, subject to reconciliation of cure amount.   |
| 3108 | 149 Serramonte Center           | Daly City, CA         | DN1328                                 | \$126,816.00 | \$154,590.00 | Not resolved.   |
| 3076 | 3700 West Torrance Blvd         | Torrance, CA          | DN 1320                                | \$0.00       | \$41,450.00  | Not resolved.   |
| 3036 | 1440 Central Avenue             | Colonie, NY           | DN 1012                                | \$30,906.00  | \$44,915.59  | Not resolved.   |